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May 4, 2005

Federal Communications Commission
Office of Secretary

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

ORIGINAL

Re: Notice of *Ex Parte* Meeting, WC Docket No. 04-36

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Federal Communications Commission's ("Commission") Rules, this letter serves to provide notice in the above-captioned proceeding of an *ex parte* communication with the Commission staff. On May 3, 2005, the undersigned along with Mr. Jeffrey Citron, Chairman and CEO of Vonage Holdings Corp. ("Vonage"), Ms. Brooke Schulz, and Mr. John Cummings, also of Vonage, participated in a conference call with Wireline Competition Bureau ("Bureau Staff") Nicholas Alexander, Christi Shewman, and Julie Veach. Separately the same day, Christopher Murray of Vonage conducted a telephone call with Jessica Rosenworcel, Legal Advisor to Commissioner Copps. Mr. Murray provided Ms. Rosenworcel with the following information and expressed views consistent with those previously made in this docket.

During the call with Bureau Staff, Vonage explained that CLECs can today provide only a limited fixed E-911 service for Voice over Internet Protocol ("VoIP") providers. Vonage explained to Bureau Staff that the challenge in devising a VoIP 9-1-1 solution is similar to that faced by wireless carriers—VoIP service is inherently portable, and customers may be using a telephone number that is not assigned to the geographic area of their current location. The existing wireline network is not designed to route 9-1-1 calls from "distant" telephone numbers, so an overlay system has to be developed for wireless carriers. Thus, to provide a complete 9-1-1 solution, Vonage needs (1) access to 9-1-1 selective routers at every location where one of its customers might use its service, which is to say to *every* selective router in the United States; and (2) access to the wireless overlay solution, including the pseudo-telephone number (so-called "pANI") codes used by wireless carriers to route their 9-1-1 calls.

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Vonage explained to Bureau Staff that CLECs are not able to provide 9-1-1 access for VoIP customers with out-of-area telephone numbers, either because the customer has chosen a "virtual" telephone number or because the customer is using the service while away from home. This is because CLECs do not have access to the various network elements and pANI codes used by wireless carriers. Moreover, even if CLECs did have access to these elements, many areas are without CLEC coverage. This includes most rural areas where CLECs are unable to obtain interconnection because of the exemptions granted to rural telephone companies. Finally, Vonage explained that CLECs do not even offer *fixed* 9-1-1 access as a standalone service. Therefore, even to provision fixed 911 access where it is available, Vonage would have to buy telephone service from that CLEC, port existing telephone numbers to that CLEC, and disrupt its existing arrangements with its underlying carriers.

Vonage stressed that the Commission must not underestimate the importance of implementing rules that support a majority of VoIP customers. Similar to wireless providers, a substantial number of Vonage customers have telephone numbers associated with rate centers that do not correspond to their billing address. In fact, Vonage recently found that in one market, 40% of its customers use a telephone number from a distant rate center. Furthermore, although Vonage cannot determine with certainty how many of its customers make use of the portable functionality of its service on a regular basis, even by very conservative estimates this is at least 20-30%. This number is also growing rapidly with the introduction of Vonage's WiFi phone and other pure mobile products. Vonage emphasized that the Commission should not address 9-1-1 needs of a minority of VoIP customer while ignoring implementation issues necessary to service rural VoIP users and the vast majority VoIP customers.

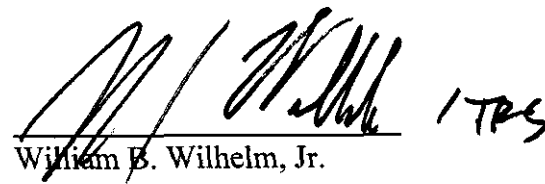
In closing, Vonage announced to Bureau Staff that it and Verizon recently reached a voluntary commercial agreement that will allow Vonage and Verizon to offer access to emergency services for all of Vonage's customers – fixed and nomadic – in New York City. Upon deployment, this solution will route a Vonage customer's 9-1-1 call to Vonage's 9-1-1 server using industry standard SIP protocol. The Vonage server then queries Intrado for routing instructions. The call is then directed to the media gateway connection to the Verizon network, over a dedicated physical circuit connected directly to Verizon's selective router that serves the Public Safety Answering Point ("PSAP"). Simultaneously, Intrado places the customer's address and telephone number into the Automatic Location Information (ALI) database. The supplementary special key unique to the call is included in the call signaling, and allows the PSAP 9-1-1 operator to pull the customer's address and phone number from the ALI database. Vonage, Verizon and Intrado intend to implement this first-of-its-kind E9-1-1 solution throughout Verizon territory within 6 months. To implement this novel solution, Verizon will perform all necessary modifications and translations to the network elements in each PSAP service area that bundle the ALI and selective routing infrastructure. The proposed solution is compliant with NENA's proposed I2 technical standard. Vonage is able to offer such a solution in cooperation with Verizon due to Verizon making available the following: (1) direct trunking to the more than 100 Verizon-owned selective routers; (2) provisioning of wireless components enabling non-local numbers to call 911 – ESRNs (pseudo-ANIs) and ESQKs (pseudo-ALIs); and (3) an ALI-steering agreement for Intrado.

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Vonage recommends that the Commission look to the joint solution developed by Vonage and Verizon and utilize it as a national model for providing VoIP customers with access to emergency services throughout all parts of the United States.

Pursuant to the Commission's Rules, this letter is being submitted to the Secretary for filing in the above-referenced proceeding.

Sincerely,



William B. Wilhelm, Jr.

Counsel for Vonage Holdings Corp.

cc: Nicholas Alexander
Christi Shewman
Julie Veach
Jessica Rosenworcel